

## SENATE BILL NO. 463

INTRODUCED BY L. GROSFIELD

A BILL FOR AN ACT ENTITLED: "AN ACT SPECIFYING THAT IT IS THE LEGISLATURE'S RESPONSIBILITY TO BALANCE INALIENABLE RIGHTS AND THAT THE LEGISLATURE'S BALANCE IS PRESUMED VALID UNLESS DETERMINED TO BE UNREASONABLE; SUBMITTING TO THE QUALIFIED ELECTORS OF MONTANA AN AMENDMENT TO ARTICLE II, SECTION 3, OF THE MONTANA CONSTITUTION; AND PROVIDING AN EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

**Section 1.** Article II, section 3, of The Constitution of the State of Montana is amended to read:

**"Section 3. Inalienable rights.** (1) All persons are born free and have certain inalienable rights. They include the right to a clean and healthful environment and the rights of pursuing life's basic necessities, enjoying and defending their lives and liberties, acquiring, possessing and protecting property, and seeking their safety, health and happiness in all lawful ways. In enjoying these rights, all persons recognize corresponding responsibilities.

(2) It is the legislature, which in fulfilling its responsibilities, may balance these rights, and the balance determined by the legislature shall be valid unless determined to be unreasonable."

**NEW SECTION. Section 2. Effective date.** If approved by the electorate, this act is effective January 1, 2003.

**NEW SECTION. Section 3. Submission to electorate.** This amendment shall be submitted to the qualified electors of Montana at the general election to be held in November 2002 by printing on the ballot the full title of this act and the following:

FOR providing that it is the legislature's responsibility to balance inalienable rights and that the legislature's balance is presumed valid unless determined to be unreasonable.

AGAINST providing that it is the legislature's responsibility to balance inalienable rights and that the legislature's balance is presumed valid unless determined to be unreasonable.

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